**@**001/019

JUN 1 5 2004

NINETEEN (19) PAGES IN THIS

FAX INCLUDENCE

This Sheet DECRES

OFFICIAL

**PATENT** 

RESPONSE UNDER 37 CFR § 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 2697

Attorney Docket No. 97437

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LENOSKI ET AL.

Application No. 09/519,282

Confirmation No. 9726

Filed: March 7, 2000

For: DISTRIBUTING FAULT INDICATIONS AND

MAINTAINING AND USING A DATA STRUCTURE INDICATING FAULTS TO

ROUTE TRAFFIC IN A PACKET

SWITCHING SYSTEM

Group Art Unit: 2661

Examiner: MOORE, IAN N

#### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this paper is being deposited with the United States Postal

Service on the date shown with sufficient postage as first class mell in an envelope
addressed to: Commissioner For Patents, PO Box 1450, Alexandria VA 22313-1450,
or being factionals transmitted to the USFTO, 703-872-9306 on Jame 15, 2004.

Kirk D. Williams, Esq.

# RESUBMISSION OF AMENDMENT B FILED VIA FACSIMILE WITH THE USPTO ON APRIL 19, 2004

Commissioner for Patents Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith are the papers submitted to the USPTO on April 19, 2004 via facsimile. Examiner Moore indicated today that he has not received these papers, and requested they be resubmitted. These paper submitted on April 19, 2004 include: the transmittal cover (1 page) and Amendment B (15 pages). Also included herewith is the USPTO Auto-Reply Facsimile Transmission letter received from the USPTO indicating that 16 pages were received on April 19, 2004 at 11:38:36 PM.

In re LENOSKI ET AL., Application No. 09/519,282 Amendment B

Although no fee is believed due in regards to this resubmission of the papers filed on April 19, 2004, the Commissioner is hereby authorized to charge any fee due in connection with this communication to Deposit Account No. 501430. Moreover, the Commissioner is hereby generally authorized under 37 C.F.R. § 1.136(a)(3) to treat this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 requiring an extension of time as incorporating a request therefore, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time. Moreover, the Commissioner is hereby authorized to charge payment of any fee due any under 37 C.F.R. §§ 1.16 and § 1.17 associated with this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 or credit any overpayment to Deposit Account No. 501430.

Respectfully submitted,
The Law Office of Kirk D. Williams

Date: June 15, 2004

Kirk D. Williams, Reg. No. 42,229

One of the Attorneys for Applicants

**CUSTOMER NUMBER 26327** 

The Law Office of Kirk D. Williams

1234 S. OGDEN ST., Denver, CO 80210

303-282-0151 (telephone), 303-778-0748 (facsimile)

USPIU 4/19/2004 11:52 PM PAGE 1/001 Fax Server ):Auto-reply fax to 303 778 0748 COMPANY:

# **Auto-Reply Facsimile Transmission**



TO:

Fax Sender at 303 778 0748

Fax Information

Date Received: Total Pages:

4/19/2004 11:38:36 PM [Eastern Daylight Time]

s: 16 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received Cover Page

	303 TTA 0718	hirts D 99\$11Ams		<b>₩</b> 001.*61	
		<b>∕</b> .			
AF	CER FINAL	( )6 PA	GFS IN	FAX)	
AMEN	DARNTY DIS J. BERM	HAL DIBCLAMER F	EE TRANSMIT	AL	
		Application No.:	09/319,282		
ADDRESS TO:		Confirmation No.:	9776	ł	
Commissioner for Patents Alexandria, VA 22313-1450		Filine Date:	March 7, 2000	ĺ	
		First Nemed Inventor:	LENOSKI ET AL	<b>i</b>	
		Examiner Name:	MOORE, IAM N	· }	
		Arl Unil:	2691	1	
		Tille: Distributing Fa			
		Maintaining and	Meinteining and Using a Data Structure Indicating Faults To Route Traffic in a Packet		
		Switching Syste	em	a) o recinct	
		Attorney Docket No.	97437	ŀ	
	TRA CLAIM FEES FOR UT				
Total Claims	HUNGER HILEHONSKY PAID		RATE	23.33	
Independent	13 - 20		18 (fee code 1202) 56 (fee code 1201)		
No extension	on of time under 37 C.F.R. §	1 135 is policyed necessar	v. To the extent	-	
that a petitio	m for a different or additional	extension of time is deeme	d necessary, a		
petition for a	sufficient extension of time	to rander the present autimi	stion timely is	l i	
requestro.	Please charge Deposit Acco	runt No. 501430 the appropr	iste patition lee. (fee cody 1251)	so }	
	nission of an information Of	sclosure Sistement		\$0	
11 20(d) Terr	inal Disclaimer		TOTAL -	\$0	
		POSIT ACCOUNT NO. 601430		\$0 \$0	
The Favorier					
CFR 1.10 or 37	ner is heneby authorized to GFR 1.17 to Deposit Accord	int No. 501430. The Comm	Maismer is hereby o	enerally (	
authorized unde	r 37 CFR 1.138(a)(3) to tre	at any future repty in the or	now related applica	lion Start	
Commissioner i	CFR 1.53 requiring an extent is hereby specifically author	ized to charge Deposit Acco	DUTE NO. 501430 to:	r, and the	
may be due in o	connection with such a rocus	eat for an extension of time			
	/- 22, CUISTO	ESPONDENCE ADDRESS	<u> </u>		
		k D. Williams, Esq.			
-	The Law	k D. Williams, Esq. Office of Kirk D. Williams		ļ	
_	The Lew 1234 6, OGD	k D. Williams, Esq. Office of Kirk D. Williams EN 57., DENVER, CO 803			
Name	The Lew 1234 6, OGD	k D. Williams, Esq. Office of Kirk D. Williams			
Mame Signeture	The Lew 1234 6, OGD Talephone; 303-21	k D. Williams, Esq. Office of Kirk D. Williams EN 57., DENVER, CO 803			
	The Lew 1234 6, OGD Talephone; 303-21	k D. Williams, Esq. Office of Kirk D. Williams EN 57., DENVER, CO 803			
Signature	The Lew 1234 6. OGD Totephone; 303-21 Rich O. Williams April 19, 2004	k D. Williams, Esq. Office of Kirk D. Williams Esh ST. DENVER, CO 803 82-0161, Feasimile: 302-73	240Y		
Signature Date I nereby certify	The Lew 1234 6. OGD Tolephone; 303-20 IGH D. Williams April 19, 2004 Certificate or Malking that the Transmital and the true Transmital and the control of the contro	k D. Williams, Etq. Office of Kirk D. Williams EN ST. DENVER, CO 803 S2-9151, Facelimie: 303-77	2.90 Y	theri with the	
Signature Date I nereby certify United States P	The Low 1234 6, Ow 1234 6, Ow Tolephone; 303-21 ICh D. Wildoms  April 19, 2004  Certificate of Mailing that this Transmital and or total Sorrow with sufficient	k D. Williams, Esq. Office of Kirk D. Williams EN ST. DENVER, CO 803 E2-9151, Facstriller: 303-71  4/19/ of Transmission Under 3 all accompanying documer postage as forst class mail	2-0748  C.F.R. 1.8  Its ere being deper	cd below and	
Signature Date I nereby certify United States Plackfressed to: C	The Law 1234 6, OSD 14dephone; 303-21 [Och D, Willems April 19, 2004 Certificate of Malling that the Transmittal and onter Service with sufficient complisations for Patients.	k D. Williams, Esq. Office of Kib D. Williams, EN ST., DENVER, CO 803 S2-9151, Facalities, 303-77	C.F.R. 1.8 nis ero bothy depor on lay date holical A 22313-1450 or h	cd below and	
Signature Date I neseby certify United States P addressed to: C transmitted to the	The Law 1234 6, OGD Tolephone; 303-21 Kork D. Willows April 19, 2004 Certificate of Malling that the Transmittal and to the Service with surfocution and the Service with surfocution formitations for Pallents, in Service 20	k D. Williams, Esq. Office of Kib D. Williams, EN ST., DENVER, CO 803 S2-9151, Facalities, 303-77	7 C.F.R. 1.8 its ere being depor , on the date helical A 22313-1450, or b	ed below and sing tacsimhe	
Signature Date I nereby certify United States Plackfressed to: C	The Law 1234 6, OGD Tolephone; 303-21 Oct D. Williams April 19, 2004 Certificate of Mailing that this Transmital and totals Service with sufficient orders (April 19, 703 of Tolephone), 18, 1877, 703 of Tolephone, 1877, 703 of Tolephon	k D. Williams, Esq. Office of Kib D. Williams, EN ST., DENVER, CO 803 S2-9151, Facalities, 303-77	2-9-4 C C.F.R. 1.8 or Inv date Indicat A 22313-1450, or h	cd below and	

AFT	ER FINAL		pages in				
AMEN	DMENT / IDS / TERMINA	AL DISCLAIME	R/ FEE TRANSMITT	AL			
		Application No.:	09/519,282				
ADDRESS TO:		Confirmation No.:	•	•			
		:					
Commissioner for Patents Alexandria, VA 22313-1450		Filing Date:	•	March 7, 2000			
		First Named Inver	ntor: LENOSKI ET AL.	LENOSKI ET AL.			
		Examiner Name:	MOORE, IAN N	MOORE, IAN N			
·		Art Unit:	2661	2661			
		Title: Distributing Fault indications and Maintaining and Using a Data Structure Indicating Faults To Route Traffic in a Packet Switching System					
		Attorney Docket I	Docket No. 97437				
EXTRA CLAIM FEES FOR UTILITY APPLICATION (NON-SMALL ENTITY)							
	PENDING CLAIMS - HIGHEST NUMBER PREVIOUSLY PAID	EXTRA	RATE				
Total Claims	13 - 20 =	0	x \$18 (fee code 1202)	<b>\$</b> 0			
Independent	3 - 4 =	0	x \$86 (fee code 1201)	\$0			
	on of time under 37 C.F.R. § 1.						
that a petition for a different or additional extension of time is deemed necessary, a							
petition for a sufficient extension of time to render the present submission timely is							
requested. Please charge Deposit Account No. 501430 the appropriate petition fee.							
(fee code 1251)							
1.20(d) Terminal Disclaimer				\$0 \$0			
TOTAL =							
Please charge my Deposit Account No. 501430 in the amount of:							
The Commissioner is hereby authorized to credit overpayments or charge any additional fees under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 501430. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time.							
22. CORRESPONDENCE ADDRESS							
CUSTOMER NUMBER: 26327							
Kirk D. Williams, Esq.							
The Law Office of Kirk D. Williams 1234 S. OGDEN ST., DENVER, CO 80210							
Telephone: 303-282-0151, Facsimile: 303-778-0748							
Name Kirk D. Williams							

Certificate of Mailing or Transmission Under 37 C.F.R. 1.8

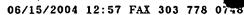
I hereby certify that this Transmittal and all accompanying documents are being deposited with the United States Postal Service with sufficient postage as first class mail, on the date indicated below and addressed to: Commissioner For Patents, PO Box 1450, Alexandria VA 22313-1450, or being facsimile transmitted to the USPTO, 703-872-9306 on the date indicated below.

Kirk D. Williams, Esq. Reg. No. 42,229

Signature Date

20 4/19/2004

April 19, 2004



Kirk D Williams



JUN 1 5 2004



OFFICIAL

PATENT RESPONSE UNDER 37 CFR § 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 2697

Attorney Docket No. 97437

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LENOSKI ET AL.

Application No. 09/519,282

Confirmation No. 9726

Filed: March 7, 2000

For: DISTRIBUTING FAULT INDICATIONS AND

MAINTAINING AND USING A DATA STRUCTURE INDICATING FAULTS TO

ROUTE TRAFFIC IN A PACKET

SWITCHING SYSTEM

Group Art Unit: 2661

Examiner: MOORE, IAN N

#### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this paper is being deposited with the United States Postal
Service on the date shown with sufficient postage as first class small in an envelope
addressed on Commissioner Per Patenta, PO Box 1450, Alexandrin VA 22313-1450,
or being faculated transmitted to the USPTO, 703-872-9306 on April 19, 2004.

AMENDMENT B

Commissioner for Patents Alexandria, VA 22313-1450

Dear Sir:

The final Office action dated February 18, 2004, and the references cited have been fully considered. In response, please enter the consider the following remarks. Reconsideration and/or further prosecution of the application is respectfully requested.

Amendments to the Claims are reflected in the current listing of claims which begins on page 2 of this paper. Note, the only amendments presented herein are to cancel claims 5, 8, 19, 20, and 23-25, and therefore should be entered even though the matter is after final, as it puts the case in a better position for allowance or appeal.

Remarks begin on page 7 of this paper.